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 8 Attorney for Plaintiff U.S. MARSHAL  
 9 SHELTER ISLAND YACHTWAYS, LTD, SOUTHERN DISTRICT OF  
 10 a California Limited Partnership, CALIFORNIA  
 11 dba SHELTER ISLAND BOATYARD

12  
 13  
 14 UNITED STATES DISTRICT COURT  
 15 SOUTHERN DISTRICT OF CALIFORNIA

16 SHELTER ISLAND YACHTWAYS, LTD, a  
 17 California Limited Partnership, dba SHELTER  
 18 ISLAND BOATYARD,

19 Plaintiff,

20 v.

21 M/Y SUNDANCE, Official No. 521498, A  
 22 HATTARAS MOTORYACHT OF  
 23 APPROXIMATELY 33 FEET IN LENGTH  
 24 AND 12 FEET IN BEAM, AND ALL OF HER  
 25 ENGINES, TACKLE, ACCESSORIES,  
 26 EQUIPMENT, FURNISHINGS AND  
 27 APPURTENANCES, *in rem*,

28 Defendant.

'07 CV 2015

DMS WMC

Case No.

IN ADMIRALTY

WARRANT FOR ACTION IN REM

F.R.C.P. Supplemental Admiralty  
Rules C and E.

46 U.S.C. Sections 30101-31343

22 TO THE UNITED STATES MARSHAL FOR THE SOUTHERN DISTRICT OF CALIFORNIA:

23 WHEREAS a Verified Complaint has been filed in this Court in the above-entitled action  
 24 against the Defendant Vessel M/Y SUNDANCE, Official No. 521498, a Hattaras Motoryacht of  
 25 approximately 33 Feet in Length and 12 Feet in Beam, and all of her engines, tackle, accessories,  
 26 equipment, furnishings and appurtenances, etc. and all other necessaries thereunto appertaining  
 27 and belonging (hereinafter "DEFENDANT VESSEL") upon admiralty and maritime lien claims  
 28 for trespass, breach of implied contract for necessities, fraud in the inducement and quantum meruit

WARRANT FOR ACTION IN REM

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1 in the current amount of One Thousand Eight Hundred Dollars (\$1,800.00), plus \$66.00 per day for  
 2 lay day charges, plus prejudgment interest, punitive damages and costs of suit (including attorneys'  
 3 fees), for the reasons and causes therein stated and praying for process of warrant for the arrest of  
 4 said DEFENDANT VESSEL and appurtenances, and that all persons with an interest in the said  
 5 vessel and/or her appurtenances be cited to answer, and that the said vessel and her appurtenances  
 6 may for the causes in the said Complaint be condemned and sold to pay the demands of the Plaintiff.

7 **YOU ARE HEREBY COMMANDED** to attach the said DEFENDANT VESSEL and her  
 8 appurtenances, and to detain the same in your custody, or in the custody of an authorized substitute  
 9 custodian, until the further order of the Court respecting the same, and to give due notice to all  
 10 persons claiming the same or having anything to say why the same should not be condemned and  
 11 sold pursuant to the Prayer of the said Verified Complaint, that they must file their claim with the  
 12 Clerk of this Court within 10 days after execution of this process, or within such additional time as  
 13 may be allowed by the Court, and must serve their answers within 20 days after the filing of their  
 14 claims.

15 **YOU ARE FURTHER COMMANDED** to file this process in this Court with your return  
 16 thereon promptly after execution thereof, and mail a copy thereof to the attorney at whose request  
 17 the execution was effected.

18 DATED: <sup>November</sup> October 6, 2007 UNITED STATES DISTRICT COURT CLERK

19  
 20 By:   
 21 Deputy Clerk

22 Respectfully submitted on October 7, 2007 by:

23 WEISS & JONES

24 By 

25 Philip E. Weiss, Esq.  
 26 Attorney for Plaintiff  
 27 SHELTER ISLAND YACHTWAYS, LTD,  
 28 a California Limited Partnership,  
 dba SHELTER ISLAND BOATYARD